

# **EXHIBIT C**



As the State's chief election officer, the Secretary, through the Elections Division, is responsible for obtaining and maintaining uniformity in the application, operation, and interpretation of the Texas Election Code and other election laws. To that end, our division prepares written directives, instructions, and forms, and we distribute such materials to appropriate state and local authorities in the administration of elections in Texas.

4. In my capacity as Director of Elections, I am familiar with the voter registration process in Texas, including the applicable federal and state statutes, regulations, and procedures governing voter registration, as well as the Secretary of State's role in that process.

5. Consistent with Section 20.065(b) of the Texas Election Code, on a daily basis, the Texas Department of Public Safety (DPS) electronically transfers certain voter registration application data to SOS. The file includes a digital image of the applicant's physical signature provided to DPS and other identifying information relating to the applicant.

6. Upon receipt of the daily voter registration file from DPS, our office processes the data into a compatible format for the voter registration system and sends the information to the appropriate voter registrar associated with each applicant. For "online" counties that use the State's voter registration system, called TEAM, as their own system, our office provides the application data to each county as individual tasks in the TEAM system. For "offline" counties that use their own voter registration systems, if an application is provided through the DPS process, a

compatible export file is made available through the TEAM system for offline counties to retrieve on a daily basis. In either event, SOS sends the voter registration application data to the county voter registrar, who utilizes that data to complete the voter registration process as to each applicant.

7. If modifications were to be made to the scope of data that DPS provides to SOS in the daily voter registration file, including a customer's response to the voter registration questions, such modifications also may necessitate changes to SOS processes. Depending on the complexity of any specific changes and the scope of work necessary to implement those changes, SOS estimates that changes to the statewide voter registration system (and resulting updates to SOS advisory materials and training of county officials) would take SOS a minimum of 60 days to complete, starting from when SOS and DPS agree on new data specifications. This estimate accounts only for the time required for SOS and its vendor to complete the work over which they have control or responsibility. There would be a cost to the State to complete work of this kind, but SOS is unable to estimate the total cost without knowing the specific changes that would have to be implemented.

8. The Texas Election Code assigns to the county voter registrar—and only the county voter registrar—the authority to approve or reject voter registration applications. As provided in Section 12.001 of the Election Code, the county tax assessor-collector serves as the voter registrar for a county unless the position of county elections administrator has been created or the county clerk has been designated as the voter registrar.



9. Texas law provides several different ways for individuals to register to vote—or to update their existing voter registration—with their county voter registrar, including by personal delivery, mail, or fax. The Texas Election Code also explicitly permits voters who move from one residence to another in the same county (and are thus within the jurisdiction of the same county voter registrar) to update their voter registration contact information online through Texas.gov.

10. The Secretary of State's office provides advice and assistance to county voter registrars every day on a wide range of issues relating to voter registration. Our office also regularly assists members of the public seeking to register to vote in Texas (within the confines of our statutory authority), such as informing individuals of the relevant eligibility requirements and registration deadlines, explaining where they can obtain a voter registration application, and notifying them of the information that they must provide in an application.

11. I am aware that in this proceeding, the Plaintiffs have asked the Court to issue an order that would, among other things, direct the Secretary of State "to register to vote or update voter registration information for each Individual Plaintiff using their most recent online driver's license transaction and deem each Individual Plaintiff's voter registration through their most recent online driver's license transaction as submitted on the date each Individual Plaintiff completed said transaction, and as effective 30 days thereafter." The Secretary of State is not the voter registrar under Texas law, and our office lacks the authority to register any

individual to vote or update a voter registration record in the manner requested by the Plaintiffs.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 27th day of January, 2020, in Austin, Texas.

A handwritten signature in blue ink, appearing to read 'BK Ingram', is written over a horizontal line.

Brian Keith Ingram  
Director, Elections Division